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DOBLER & SONS, LLC

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

DOBLER & SONS, LLC, a California
limited liability company,

Plaintiff,

v.

FRESH 'N HEALTHY, INC., a Delaware
Corporation; MARK WILLIAMS, an
individual; JACK PARSON, an individual;
MARK MCCORMICK, an individual;
STEVEN CINELLI, an individual; and
PRESTWICK PARTNERS, LLC, a
California limited liability company,

Defendants.

CASE NO. C 08-00113 RS

**NOTICE OF VOLUNTARY DISMISSAL
WITH PREJUDICE**

[Fed. R. Civ. P. 41(a)]

NOTICE IS HEREBY GIVEN that, pursuant to Fed. R. Civ. Proc. 41(a), Plaintiff Dobler & Sons, LLC voluntarily dismisses the above captioned action in its entirety,¹ without prejudice.

Date: April 30, 2008

RYNN & JANOWSKY, LLP

By: /s/ Marion I. Quesenbery
MARION I. QUESENBERY
Attorneys for Plaintiff
DOBLER & SONS, LLC

¹ Plaintiff has also filed a Stipulation for the Dismissal of Defendant Jack Parson, the only Defendant that filed a response to Plaintiff's Complaint.